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PATENT APPLICATION
Attorney Docket No. 15966-557 (Cura-57)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Shimkets and Prayaga
SERIAL NUMBER : 09/494,585
FILING DATE : January 31, 2000
FOR : NOVEL FIBROBLAST GROWTH FACTOR AND NUCLEIC ACIDS ENCODING SAME

OIPF JC125
OCT 17 2001
PATENT & TRADEMARK OFFICE

EXAMINER : Christine Saoud
ART UNIT : 1647

Assistant Commissioner for Patents
Washington, D.C. 20231

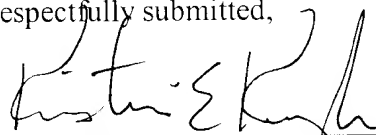
TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

- ☐ Preliminary Amendment and Response to Restriction (5 pages);
- ☐ Return Postcard.

This response to the September 17, 2001, Restriction Requirement is due on or before October 17, 2001, without extension. No fee is believed due at this time. Should any fee be due, the Commissioner is hereby authorized to charge the fee, or credit any overpayment, to Deposit Account No. 50-0311, Reference No. 15966-557 (CURA-57). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,



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PRELIMINARY AMENDMENT AND
RESPONSE TO RESTRICTION

This is in response to the Notice of Restriction Requirement mailed September 17, 2001 ("Restriction Requirement") in the above-identified application. This response is due on or before October 17, 2001, without extension.

Prior to examination of the above-identified patent application, please amend the application as set forth below and consider the following remarks.

In the claims:

Cancel claims 11 - 13, 15 - 18 and 22 -27 as relating to non-elected subject matter.

Amend claims 14, 19 and 21 as follows:

14. (Amended) A method of producing an isolated FGF-CX polypeptide at least 80% identical to a polypeptide of SEQ ID NO:2, said method comprising the step of culturing the host cell of claim 10 under conditions in which the nucleic acid molecule is expressed.

19. (Amended) A pharmaceutical composition comprising a therapeutically or prophylactically effective amount of the nucleic acid of claim 1, and a pharmaceutically acceptable carrier.

21. (Amended) The use of a therapeutic in the manufacture of a medicament for treating a syndrome associated with a human disease, the disease selected from a proliferative

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